

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

MARCELINO MALABANAN,

Plaintiff,

V.

BIO-REFERENCE  
INC.,

LABORATORIES,

Defendant.

Civil Action No. 11-3629 (SDW)(MCA)

## ORDER

July 2, 2012

**ORDER ADOPTING THE REPORT AND RECOMMENDATION**  
**OF THE MAGISTRATE JUDGE**

This matter comes before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Madeline C. Arleo filed on May 22, 2012, dismissing Marcelino Malabanan’s (“Plaintiff”) Complaint with prejudice as a result of Plaintiff’s failure to prosecute this action; comply with his discovery obligations; provide this Court with his current address, pursuant to L. Civ. R. 10.1(a); or otherwise comply with orders of this Court. No objections have been filed.<sup>1</sup>

This Court has reviewed the R&R and the other documents on file in this matter. Based on the foregoing, and for good cause shown,

**IT IS** on this 2nd day of July, 2012,

**ORDERED** that Magistrate Judge Arleo's R&R filed May 22, 2012, is **ADOPTED** by this Court in its entirety. Plaintiff's Complaint is **DISMISSED** with prejudice.

<sup>1</sup> Objections were due by June 5, 2012.

s/ Susan D. Wigenton  
**Susan D. Wigenton, U.S.D.J.**

cc: Madeline Cox Arleo, U.S.M.J.